

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**LLOYD J. DUPUIS**

**CIVIL ACTION NO. 06-1248**

**VS.**

**SECTION P**

**WARDEN BURL CAIN**

**JUDGE MELANÇON**

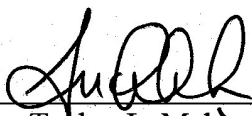
**MAGISTRATE JUDGE HILL**

**JUDGMENT**

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly,

**IT IS ORDERED** that the instant action is **DISMISSED WITHOUT PREJUDICE** because the instant Motion constitutes a second and successive *habeas petition* within the meaning of 28 U.S.C. §2244(b) filed without prior authorization of the United States Fifth Circuit Court of Appeals.

**THUS DONE AND SIGNED**, in Lafayette, Louisiana, on this 6<sup>th</sup> day of November, 2006.

  
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Tucker L. Melançon  
UNITED STATES DISTRICT JUDGE